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| APPLICATION NUMBER | FILING OR 371(C) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-----------------------|-----------------------|------------------------|
| 10/692,363 | 10/22/2003 | Khalid Raja | ACMI-2.006.US |

CONFIRMATION NO. 9378

022874
 BRADLEY M GANZ, PC
 P O BOX 10105
 PORTLAND, OR 97296

ABANDONMENT/TERMINATION
LETTER

OC000000014262165

OC000000014262165

Date Mailed: 11/02/2004

NOTICE OF ABANDONMENT

Decision on Petition

The above-identified application is **abandoned** for failure to timely reply to the Decision on Petition mailed on 08/09/2004.

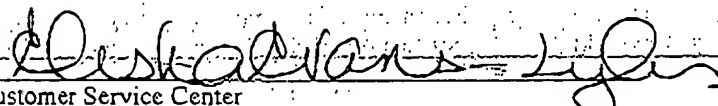
A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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USPTO 10/7/2004 2:27 PM PAGE 1/001 Fax Server
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Received
Cover
Page

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10/12/2004/TUE 11:51 AM GANZ LAW

FAX No. 5032962172

P. 001



250 NW 19th Avenue, Suite 302, Portland, Oregon 97209
 TEL 503.224.2713 FAX 503.296.2172 EMAIL mail@ganzlaw.com
 A Professional Corporation

Date: October 7, 2004

To: Attn: Paul Shanowski

From: James L. Wolfe, Reg. No. 33,623, Ganz Law P.C.

Re: Renewed Petition Under 37 CFR 1.47(a) for the following application:

- Application serial number: 10/692,383
- Attorney docket number: ACM1-2.006.US
- Filing date: October 22, 2003
- First named inventor: Khalid Raja
- Title: FLUID DELIVERY SYSTEM FOR USE WITH A SURGICAL PUMPING UNIT

Tel: 571-272-3225

Fax: 703-872-9306

Pages: 6 + cover sheet

This fax transmits the following documents:

- Cover Letter 1 page
- Renewed Petition Under 37 CFR 1.47(a) 2 pages
- Declarations of Frank D'Amelio and Kevin Wood 3 pages

Confidentiality Notice: The information contained in this facsimile transmission may be privileged and confidential and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, this serves as notification that any reading, disclosure, copying, distribution, or the taking of any action in reliance on the contents of this communication is strictly prohibited. If this transmission was received in error, please immediately notify Ganz Law at the number below to arrange for the return of the original facsimile.

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239 NW 13th Avenue, Suite 309, Portland, Oregon 97209
TEL 503.224.2713 FAX 503.296.2172 EMAIL mail@ganzlaw.com
A Professional Corporation

Date October 7, 2004

To Attn: Paul Shanoski

From James L. Wolfe, Reg. No. 33,623, Ganz Law P.C.

Re **Renewed Petition Under 37 CFR 1.47(a)** for the following application:

- Application serial number: 10/692;363
- Attorney docket number: ACMI-2.006.US
- Filing date: October 22, 2003
- First named inventor: Khalid Raja
- Title: FLUID DELIVERY SYSTEM FOR USE WITH A SURGICAL PUMPING UNIT

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Via Facsimile

October 7, 2004

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Please Deliver to Paul Shanoski, c/o Office of Petitions

Re: Renewed Petition Under 37 CFR 1.47(a) for Utility Application
Serial No. 10/692,363 in the name of Khalid Raja, et al. for FLUID DELIVERY SYSTEM
FOR USE WITH A SURGICAL PUMPING UNIT;
Our File: ACMI-2.006.US

Dear Sir:

Enclosed for filing on the above-referenced application is the following:

- Renewed Petition; and
- Executed Declarations of Frank D'Amelio and Kevin Wood.

Please confirm receipt of facsimile to number below.

If you have any questions, please let us know.

Best regards,

A handwritten signature in cursive script that reads "James L. Wolfe".

James L. Wolfe

JLW:mda

Enclosures

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A Professional Corporation

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Date: October 7, 2004

Khalid Raja, et al.

Examiner: Paul Shanoski

Serial No.: 10/692,363

Art Unit: 3763

Filed: October 22, 2003

Attorney Docket No.: ACMI-2.006.US

For: FLUID DELIVERY SYSTEM FOR USE WITH A
SURGICAL PUMPING UNITCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450CERTIFICATE OF TRANSMISSION/MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE
IS BEING FACSIMILE TRANSMITTED TO THE USPTO
AT (703) 872-9306 OR DEPOSITED WITH THE
UNITED STATES POSTAL SERVICE WITH
SUFFICIENT POSTAGE FOR FIRST CLASS MAIL IN
AN ENVELOPE ADDRESSED TO COMMISSIONER
FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA
22313-1450 ON THE DATE INDICATED BELOW.



Melissa D. Alexander

Date of Deposit: October 7, 2004

RENEWED PETITION UNDER 37 CFR 1.47(a)

Sir:

In response to the Decision Refusing Status Under 37 CFR 1.47(a) Petitioners
submit this renewed petition along with the following:

1. Re-executed Declaration for inventor, Frank D'Amelio;
2. Executed Declaration for inventor, Kevin Wood.

Petitioners request dismissal of the Petition under 37 C.F.R. §1.47(a), filed June 8, 2004,
due to joinder. Inventor, Kevin Wood, has submitted a signed Declaration enclosed herewith.
Additionally, a corrected Declaration of inventor Frank D'Amelio is submitted that complies with
28 U.S.C. 1746, by including a date affixed to the signature.

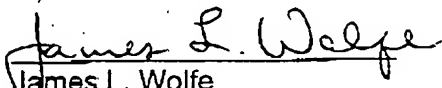
Petitioners respectfully submit that Declarations for all inventors have now been correctly
submitted and all requirements under the Notice of Missing Parts dated June 4, 2004 and the
Decision Refusing Status Under 37 CFR 1.47(a) dated August 9, 2004, have been complied
herewith.

CONCLUSION

There are no additional fees due with this response. However, if any additional fee in connection with this application is due, the Commissioner is hereby authorized to charge all such fees which may be required, or credit any overpayments, to Deposit Account No. 50-1001.

Respectfully submitted,

Date: October 7, 2004


James L. Wolfe
Registration No. 33,623
P. O. Box 10105
Portland, Oregon 97296
Telephone: (503) 224-2713
Facsimile: (503) 296-2172
email: mail@ganzlaw.com

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PTO/SB/01 (08-03)

Approved for use through 07/31/2006, OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration
Submitted
With Initial
Filing

OR

Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number

ACMI-2,008.US

First Named Inventor

Khalid Raja

COMPLETE IF KNOWN

Application Number

10/692,383

Filing Date

October 22, 2003

Art Unit

3783

Examiner Name

Unknown

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FLUID DELIVERY SYSTEM FOR USE WITH A SURGICAL PUMPING UNIT

(Title of the invention)

the specification of which



Is attached hereto

OR



was filed on (MM/DD/YYYY)

10/22/2003

as United States Application Number or PCT International

Application Number

10/692,383

and was amended on (MM/DD/YYYY)

10/22/2003

(If applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|--|---------|-------------------------------------|--|--|---|
| | | | | Yes | No |
| PCT/US02/15729 | PCT | 05/18/2002 | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 2)

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

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PTO/SB/01 (06-03)

Approved for use through 07/31/2003. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION — Utility or Design Patent ApplicationDirect all correspondence to: ☒ Customer Number: **022874** OR ☐ Correspondence address below

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Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

A petition has been filed for this unsigned inventor

Given Name

(first and middle (if any))

Khalid

Family Name

or Surname

Raja

Inventor's
Signature

Date

Residence: City

State

Country

Citizenship

Mailing Address

City

State

ZIP

Country

NAME OF SECOND INVENTOR:

A petition has been filed for this unsigned inventor

Given Name

(first and middle (if any))

Frank

Family Name

or Surname

D'Amelio

Inventor's
Signature

Date

8/24/04

Residence: City

Los Olivos

State

CA

Country

USA

Citizenship

USA

Mailing Address

6445 Calle Real

City

Santa Barbara

State

CA

ZIP

93117

Country

USA



Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

10/05/04 13:38 FAX 508 804 2624

0002

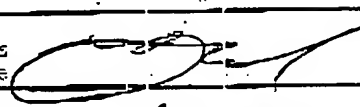
PTO/SB/02A (09-03)

Approved for use through 09/31/2003, OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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| | |
|--------------------|---|
| DECLARATION | ADDITIONAL INVENTOR(S) Supplemental Sheet |
| Page 3 of 4 | |

| | | | |
|--|-------|---|-------------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Dennis | | Caudle | |
| Inventor's Signature | | Date | |
| Residence City | State | Country | Citizenship |
| Mailing Address | | | |
| Mailing Address | | | |
| City | State | Zip | Country |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Roger | | Raczman | |
| Inventor's Signature | | Date | |
| Residence City | State | Country | Citizenship |
| Mailing Address | | | |
| Mailing Address | | | |
| City | State | Zip | Country |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Kevin | | Wood | |
| Inventor's Signature  | | Date 9/3/04 | |
| Residence City | State | Country | Citizenship |
| LOMPOL | CA | USA | US |
| Mailing Address | | | |
| 47A SOUTH "A" | | | |
| Mailing Address | | | |
| City | State | Zip | Country |
| LOMPOL | CA | 93436 | USA |

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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